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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,194	12/30/2003	Takahiro Mori	KON-1847	9923
20311	7590	06/01/2005	EXAMINER	
MUSERLIAN, LUCAS AND MERCANTI, LLP			CULLER, JILL E	
475 PARK AVENUE SOUTH			ART UNIT	
15TH FLOOR			PAPER NUMBER	
NEW YORK, NY 10016			2854	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/749,194

Applicant(s)

MORI, TAKAHIRO

Examiner

Jill E. Culler

Art Unit

2854



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20040430.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-10 are objected to because of the following informalities: The language of claim 1 is contradictory. On line 8 the claim recites that the development of the printing plate is carried out with dampening water and/or printing ink, implying that the step may be carried out with only printing ink. The limitations of lines 9-10, however, apply only to the use of dampening water, seeming to imply that the dampening water is always used. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PG PUB 2002/0172891 to Mori in view of JP2002059531 to Kawate.

With respect to claims 1 and 5, Mori teaches a printing method employing a planographic printing plate material capable of being developed on a printing press, the method comprising the steps of: imagewise exposing a planographic printing plate material comprising a support, and provided thereon, an image formation layer containing hydrophobic precursor particles; developing the exposed planographic printing plate material with dampening water and/or printing ink to obtain a printing

plate, and carrying out printing employing the resulting printing plate. See page 2, paragraphs 19-22.

Mori does not teach the dampening water being re-circulated for re-use and filtered with a filter during re-circulation wherein the filter employs an ultrafiltration method, whereby the dampening water is filtered.

Kawate teaches an apparatus which recirculates dampening water for reuse and filters it with a filter, 7, during recirculation, wherein the filter employs an ultrafiltration method, whereby the dampening water is filtered. See abstract.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Mori to have the filtering capabilities of Kawate in order to be able to reuse the dampening water.

With respect to claim 2, Mori teaches the hydrophobic precursor particles are thermoplastic particles or microcapsules encapsulating oleophilic materials therein. See page 5, paragraph 69.

With respect to claim 3, although Kawate does not directly address the filtration accuracy of the filter, it would be obvious to one having ordinary skill in the art at the time of the invention that the filtration accuracy of the filter should not be more than the average particle size of the hydrophobic precursor particles in order to be able to remove these particles from the dampening water after they have been removed from the plate during the developing process.

With respect to claim 6, Mori teaches the imagewise exposing is carried out employing an infrared laser installed in a printing press. See page 2, paragraph 37.

With respect to claim 7, Mori teaches the image formation layer contains the hydrophobic precursor particles in an amount of from 5 to 100% by weight. See page 4, paragraph 62.

With respect to claims 8-10, Mori teaches the image formation layer contains a water soluble resin wherein the water soluble resin is oligosaccharide and wherein the oligosaccharide is trehalose. See page 4, paragraphs 55-61.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Kawate as applied to claims 1-3 and 5-10 above, and further in view of EP 1203663 to Mizuno.

Mori and Kawate teach all that is claimed, as in the above rejection of claims 1-3 and 5-10 except that the filter employs an adsorption ability due to zeta potential, whereby the dampening water is filtered.

Mizuno teaches a filtering process which employs an adsorption ability due to zeta potential. See abstract.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the apparatus of Mori to have the filtering capabilities of Mizuno in order to more effectively filter the dampening water for reuse.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 3,233,619 to Gegenheimer et al., U.S. Patent

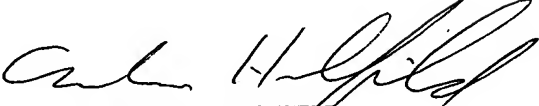
No. 6,651,555 to Szarka and U.S. PGPUB 2002/0142247 to Kawamura et al. each teach a method having obvious similarities to the claimed subject matter.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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